

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

RONALD A. KATZ TECHNOLOGY)
LICENSING, L.P.,)
)
Plaintiff,)
)
v.) C. A. No. 06-547 (GMS)
)
AMERICAN INTERNATIONAL GROUP,)
INC. *et al.*,)
)
Defendants.)

NOTICE OF FILING

PLEASE TAKE NOTICE that the documents attached as Exhibit A were filed before the Judicial Panel on Multidistrict Litigation on November 6, 2006. The attached documents are relevant to the following civil actions pending in the District of Delaware before Judge Sleet: 1:06-cv-543; 1:06-cv-544; 1:06-cv-545; 1:06-cv-546; 1:06-cv-547.

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Dated: November 6, 2006
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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CERTIFICATE OF SERVICE

I, Richard L. Horwitz, hereby certify that on November 6, 2006, the attached document was hand delivered and electronically mailed to the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading:

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EXHIBIT A

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

In re Katz Technology Licensing Patent
Litigation) MDL Docket No. 1816

THE DHL DEFENDANTS' RESPONSE TO THE TARGET DEFENDANTS' MOTION
TO TRANSFER AND CONSOLIDATION OF RELATED KATZ PATENT LITIGATION

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*Counsel for Defendants DHL Holdings (USA), Inc.,
DHL Express (USA) Inc., and Sky Courier, Inc.*

Defendants DHL Holdings (USA) Inc., DHL Express (USA) Inc., and Sky Courier, Inc. (the “DHL defendants”) respectfully submit this opposition to Defendants Target Corporation, Target Bank and Target National Bank’s Motion for Transfer and Consolidation of Related Katz Patent Litigation (“Motion to Consolidate”). The DHL defendants oppose the Motion to Consolidate for the reasons set forth in the AIG and CIGNA Defendants’ Opposition to the Motion to Consolidate, filed concurrently herewith. The DHL defendants particularly oppose any consolidation and transfer to the Eastern District of Texas to be consolidated with the *Ronald A. Katz Tech Licensing, L.P. v. Citibank, N.A., et al.*, No. 5:05-CV-142 (E.D. Tex) case (the “*Citibank* action”) and the recently severed action of *Ronald A. Katz Technology Licensing vs. Discover Financial Services, Inc., et al.*, No. 5:25-CV-182 (E.D. Tex) (the “*Discover* action”) which has been active for over a year (collectively the “Texas actions”). Consolidation of the recently-filed Delaware actions¹ with the *Citibank* and *Discover* actions would both interfere with and disrupt the *Citibank* and *Discover* proceedings and potentially prejudice the rights of the defendants in the Delaware actions, who would be consolidated into actions already well underway. Indeed, Judge Folsom has already denied a request to consolidate more recently filed actions in the Eastern District of Texas with the *Citibank* action. Moreover, a transfer of the Delaware actions to Texas would not be justified given that very few of the defendants in either the Delaware or Texas actions have their principal place of business in Texas, or are incorporated there.

¹ The DHL defendants are named defendants in C.A. No. 06-547-GMS in the United States District Court of the District of Delaware, Judge Sleet presiding. The Delaware action to which the DHL defendants are parties is one of five related cases pending before Judge Sleet in Delaware (the “Delaware actions”).

In the event that the Panel determines that a consolidation is appropriate, which the DHL defendants contend should not be the case, then the consolidated actions should be transferred either to Delaware, where the majority of the defendants are incorporated, or to Judge Klausner in the Central District of California, who has had significant experience with many of the patents at issue and where the plaintiff is located. If the Panel were reluctant to disrupt the *Citibank* and *Discover* actions before Judge Folsom in the Eastern District of Texas, which have been active since 2005, the Panel could order only the more recently-filed Texas actions to California or Delaware, e.g., Case No. 2:06-CV-335 and Case No. 9:06-CV-192. Unlike the actions filed in Texas in 2005, which have at all times been presided over by Judge Folsom, the recently-filed Texas actions are before Judge Clark and Judge Ward, who were only recently assigned these actions. Should any consolidation be justified, therefore, it would be to consolidate only the later-filed Texas actions with the Delaware actions, and transfer those actions to Delaware or California.

Dated: November 6, 2006

Respectfully submitted,



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**STAFF PANEL ON
INTERDISTRICT
COOPERATION**

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

In re Katz Technology Licensing Patent Litigation) MDL Docket No. 1816
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CORPORATE DISCLOSURE STATEMENT FOR THE DHL DEFENDANTS

Defendants DHL Holdings (USA) Inc., DHL Express (USA) Inc., and Sky Courier, Inc. (the "DHL defendants") submits this corporate disclosure statement pursuant to Rule 5.3 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation:

Sky Courier, Inc. is a wholly owned subsidiary of DHL Express (USA) Inc.

DHL Express (USA) Inc. is a wholly owned subsidiary of DHL Holdings (USA) Inc.

DHL Holdings (USA) Inc. is a wholly owned subsidiary of DHL Beteiligungen Holdings GmbH (Germany).

Respectfully submitted,

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BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

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In re Katz technology Licensing Patent Litigation) **MDL Docket No. 1816**
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CERTIFICATE OF SERVICE

The undersigned certifies that on the 6th day of November, 2006, a copy of the foregoing
DHL Defendant's Response to the Target Defendants' Motion to Transfer and Consolidation of
Related Katz Patent Litigation was served by regular mail on the firms identified below.

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BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

In re Katz Technology Licensing Patent Litigation) MDL Docket No. 1816

NOTICE OF APPEARANCE OF COUNSEL FOR THE DHL DEFENDANTS

Defendants DHL Holdings (USA) Inc., DHL Express (USA) Inc., and Sky Courier, Inc.
(the "DHL defendants") hereby designate their attorney for service of papers under Rule 5.2(c)
of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation.

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